

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51697 of 2025

Arising Out of PS. Case No.-788 Year-2025 Thana- Excise P.S. District- East Champaran

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Suraj Kumar Mahto@ Suraj Mahto S/o Harendra Mahto Village - Aurahiya,
P.S. - Gaur, District - Rautahat, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishal Prasad, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary., APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 788 of 2025 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 45 litres
of liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted



that petitioner is not the owner of the vehicle in question. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 26.05.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 788 of 2025, subject to the following conditions:

(I) One of the bailors must be Indian Resident.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) Petitioner shall not leave the territorial jurisdiction of the learned court below without taking prior



permission from the same. If petitioner violates any condition/s,
the prosecution will be at liberty to move for cancellation of bail
bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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